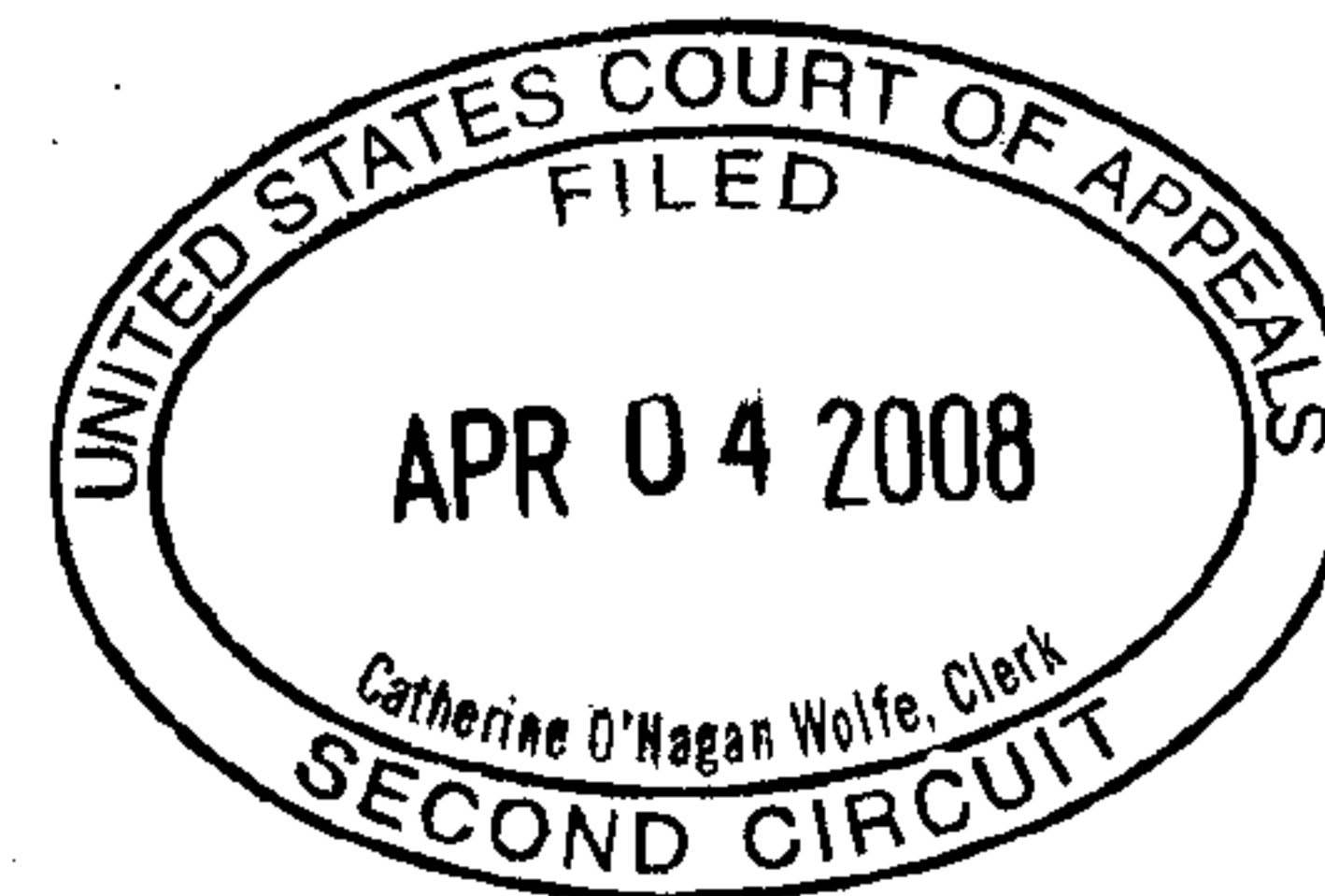


S.D.N.Y.-N.Y.C.
08-cv-1168
Wood, C.J.

MANDATE

United States Court of Appeals
FOR THE
SECOND CIRCUIT



At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 4th day of April, two thousand eight,

William John Nelson,

Petitioner,

v.

08-0749-op

James Walsh,

Respondent.

William John Nelson,

Petitioner-Appellant,

v.

08-1041-pr

James Walsh,

Respondent-Appellee.

The two above-captioned matters are consolidated for the purposes of this order.

On April 1, 2008, an Order was entered denying the application filed under 08-0749-op and dismissing the appeal filed under 08-1041-pr for lack of appellate jurisdiction. Under docket number 08-1041-pr, the Petitioner, *pro se*, moved for *in forma pauperis* status, appointment of counsel, and a certificate of appealability. However, because the appeal has been dismissed, these

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ISSUED AS MANDATE: 04/22/08

motions are DENIED as moot.

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk

By: Michael Zachary
Michael Zachary
Supervisory Staff Attorney

SAO-RAH

A TRUE COPY
Catherine O'Hagan Wolfe, Clerk
by [Signature]
DEPUTY CLERK